

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

December 6, 2004

RESPONSIBLE STAFF:

Mark DePoe
Long Range Planning Director

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
X	Public Hearing: **Joint**
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	11/19/2004
	11/24/2004
Hearing Date	12/06/2004
Record Held Open	
Policy Discussion	

TITLE: SDP-04-003

Joint Public Hearing on SDP-04-003, Amendment 1 Schematic Development Plan for MedImmune – Phase II and III, in the Quince Orchard Park development.

SUPPORTING BACKGROUND:

The applicant, MedImmune, Inc. (Randall Turner), has submitted an amendment to Schematic Development Plan (SDP) application SDP-04-003 to amend the previously approved SDP-03-003. The SDP-04-003 application requests approval to relocate the undeveloped office/laboratory structures and supporting surface and garage parking of the MedImmune – Phase II and III development within the existing 22.8-acre (or 993,187 square feet) site. The plan includes 3 to 5 story office/laboratory buildings, two parking garages (2 & 6 levels), expansion of current parking garage and surface/beneath office building parking. The subject property is located at 1 MedImmune Way, Lot 4, Quince Orchard Corporate Center and is in the Mixed Use Development (MXI) Zone. The 2003 Master Plan, Map Designation 45, designates the subject site (the Ridges) for Industrial-Research-Office use.

The Mayor and City Council approved SDP-01-002 to allow for MedImmune – Phase I. The Planning Commission approved site plans SP-01-0010 and AFP-03-012 for Phase I of the MedImmune project consisting of a combined 360,600 sq. ft. of office and laboratory space. The Mayor and City Council approved SDP-03-003 on June 16, 2003 for Phase II and III of the MedImmune project consisting of the remaining 750,000 square feet (or 389,400 sq. ft.) for the total build-out of the development. The 750,000 square feet of development previously approved for the entire MedImmune development is not changing with this amendment.

Staff has concerns as to how or whether the new building configuration impacts the Corridor City Transitway (CC) alignment as it relates to the MedImmune campus. At this time staff recommends that the record be held open indefinitely.

Attached:

See Index of Memoranda (Provided Exhibits are Highlighted)

DESIRED OUTCOME:

Hold Public Hearing. Planning Commission and Mayor and City Council Hold Record Open Indefinitely.

INDEX OF MEMORANDA
SDP-04-003
QUINCE ORCHARD PARK – THE RIDGES
MedImmune Headquarters

<u>No.</u>	<u>Exhibit</u>
1)	Site Plan Application---<i>Amendment</i> to Schematic Development Plan Application as submitted November 4, 2004 (1-page (2-sided) document)
2)	Plat of Resubdivision, Lot 4 (a Resubdivision of Lot 3 and Part of Parcel A) Quince Orchard Corporate Center, Plat No. 22991, as prepared by Macris, Hendricks and Glascock, P.A., dated, September 7, 2004 (1-page document)
3)	Site Development Approval for Site Plan #AFP-03-012, MedImmune (Expansion of existing building), dated July 23, 2003 and signed by Mark DePoe (2-page document)
4)	Copy of Mayor and Council Agenda Cover Sheet for meeting date of June 16, 2003, as prepared by Mark DePoe, Long Range Planning Director (1-page document)
5)	Ordinance No. 0-17-01 [Z-275(c)] entitled, “An ordinance to Amend the Previously Approved Sketch Plan Z-275(B) as Part of the Application Z-275 Reclassification to the MXD Zone or the Property Known as “Quince Orchard Corporate Park”, Located North of Great Seneca Highway and South of Orchard Ridge Drive, Gaithersburg, Maryland (4-page document)
6)	Fourth Amendment to Annexation Agreement X-129, dated March 11, 2002 (6-page document)
7)	Fifth Amendment to Annexation Agreement X-129, dated March 11, 2002 (3-page document)
8)	Resolution No. R-62-01 [SDP-01-002] entitled, Resolution of the Mayor and Council of the City of Gaithersburg Granting Approval for Schematic Development Plan SDP-01-002, Known as MedImmune Phase I, in the Ridges Section of the Quince Orchard Park Development Zoned Mixed Use Development (MXD). Approval of this Schematic Development Plan Permits Construction of a Three-Story 210,000 Square Foot Office/Laboratory Building and Three Level Parking Garage.
9)	Notice to <u>The Montgomery Journal</u> to include Notice of Joint Public Hearing on SDP-03-003 to be published in the April 18, 2003 and April 25, 2003 issues, dated April 16, 2003

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- | <u>No.</u> | <u>Exhibit</u> |
|-------------------|--|
| 10) | Mayor & Council Agenda Cover Sheet for meeting date of June 16, 2003, as prepared by Mark DePoe, Long Range Planning Director (1-page document) |
| 11) | Staff Comments for Planning Meeting date of June 4, 2003, as prepared by Mark DePoe, Long Range Planning Director (4-page document) |
| 12) | Communication: Planning Commission (CPC) Memorandum to Mayor & Council via David B. Humpton, City Manager, from Mark DePoe, Long Range Planning Director, dated June 10, 2003 (2-pages document) |
| 13) | Resolution (unsigned/unnumbered) entitled, Resolution of the Mayor and Council of the City of Gaithersburg Granting Approval for Schematic Development Plan SDP-03-003, Known as MedImmune Phase II and III, in the Ridges Section of the Quince Orchard Park Development Zoned Mixed Use Development (MXD). Approval of this Schematic Development Plan Permits Construction of a Three To Five Story 531,300 Square Feet Office/Laboratory Building and a Single Three to Five Level Parking Garage (6-page document). |
| 14) | Transmittals (a total of 10 separate) from Trudy Schwarz, Community Planning Director, distributing Site Plan regarding 1 MedImmune Way to various individuals/agencies for their "review and comment," dated November 8, 2004. |
| 15) | Notice to <u>The Montgomery Journal</u> to include Notice of Joint Public Hearing on SDP-04-003 to be published in the November 19, 2004 issue, dated November 16, 2004 (with attached copy of email transmission from Myriam Gonzalez to <u>legals@jrnl.com</u> regarding "Legal Ad for 11-19-04", dated 11/17/04 |
| 16) | Notice to <u>The Gaithersburg Gazette</u> (via fax transmission) to include Notice of Joint Public Hearing on SDP-04-003 to be published in the November 24, 2004 issue, dated November 17, 2004 (with attached copy of fax transmission journal sheet) |
| 17) | Notice of Joint Public Hearing for Mayor and Council meeting date of December 6, 2004 (with location map and attached page of interested persons who were sent Notice on November 17, 2004. |

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<u>No.</u>	<u>Exhibit</u>
18)	“Legals Advertising Estimate” (via fax) from <u>Journal Newspapers, Inc.</u> confirming appearance of Notice of Public Hearing ad to appear on November 19, 2004 with attached copy of ad (2-page document)
19)	Email to Myriam Gonzalez from Karey Major regarding “Legal Ad for Nov. 24, 2004 issue” dated November 18, 2004 (1-page document)
20)	Set of (3 sheets) large b&w plans (not approved), as prepared by Macris, Hendricks and Glascock, PA: 1) large plan entitled, Quince Orchard Park: The Ridges---Phases I, II, and III, MedImmune Headquarters (Schematic Development Plan), Sheet 1 of 3, dated April 11, 2003; 2) large plan entitled, Schematic Development Plan: Overall Site Plan, Quince Orchard Park, MedImmune---Phase II and III (sheet is unnumbered), dated April 11, 2003; 3) large plan entitled, Schematic Development Plan: Landscape Plan, Quince Orchard Park, MedImmune---Phase II and III, Sheet 1 of 1, dated April 11, 2003
21)	Set of (5 sheets) large b&w ---SDP Approval As Adopted (with 5 conditions) by Resolution (R-48-03), as prepared by Macris, Hendricks and Glascock, PA: 1) large plan entitled, Quince Orchard Park: The Ridges---Phases I, II, and III, MedImmune Headquarters (Schematic Development Plan), Sheet 1 of 5, dated April 11, 2003; 2) large plan entitled, Schematic Development Plan: The Ridges, Quince Orchard Park, MedImmune—Phases II and III, Sheet 2 of 5, dated April 11, 2003; 3) large plan entitled, Schematic Development Plan: The Ridges, Quince Orchard Park, MedImmune –Phases I, Sheet 3 of 5, dated May 21, 2003; 4) large plan entitled, Schematic Development Plan: The Ridges, Quince Orchard Park, MedImmune –Phases II and III, Sheet 4 of 5, dated April 11, 2003; 5) large plan entitled, Schematic Development Plan: The Ridges, Quince Orchard Park, MedImmune –Phases II and III, Sheet 5 of 5, dated April 11, 2003.
22)	Letter of Transmittal to Mark DePoe, Long Range Planning Director from Brian Donnelly (Macris Hendricks & Glascock, PA), regarding project Quince Orchard Park---MedImmune SDP, dated March 19, 2004 enclosing payment for Review/Permit Fees.

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<u>No.</u>	<u>Exhibit</u>
23)	Letter of Transmittal to Mark DePoe, Long Range Planning Director from Brian Donnelly (Macris Hendricks & Glascock, PA), regarding project Quince Orchard Park—The Ridges (MedImmune SDP), dated November 4, 2004 attaching copies of various documents (Site Plans/Building Elevations/ Site Plan Application, etc.).
24)	Copy of Resolution (R-48-03), entitled, Resolution of the Mayor and Council of the City of Gaithersburg Granting Approval for Schematic Development Plan SDP-03-003, Known as MedImmune Phase II and III, in the Ridges Section of the Quince Orchard Park Development Zoned Mixed Use Development (MXD). Approval of this Schematic Development Plan Permits construction of a Three to Five Story 531,300 Square Feet Office/Laboratory building and a Single Three to Five Level Parking Garage, as signed and adopted by the City Council on June 16, 2003
25)	Sheet 2 of 5 of Approved Schematic Development Plan SDP-03-003 (11"x17") titled: "Schematic Development Plan The Ridges Quince Orchard Park MedImmune – Phases II and III"
26)	Sheet 4 of 5 of Approved Schematic Development Plan SDP-03-003 (11"x17") titled: "Schematic Development Plan The Ridges Quince Orchard Park MedImmune – Phases II and III"
27)	Cover Sheet of Proposed Schematic Development Plan SDP-04-003 (11"X17") titled: "Schematic Development Plan The Ridges – Phases II and III Quince Orchard Park MedImmune Inc. Campus"
28)	Sheet 2 of 3 of Proposed Schematic Development Plan SDP-04-003 (11"X17") titled: "Schematic Development Plan Overall Site Plan Quince Orchard Park MedImmune – Phases II and III"
29)	Sheet 1 of 1 of Proposed Schematic Development Plan SDP-04-003 (11"X17") titled: "Schematic Development Plan Landscape Plan Quince Orchard Park MedImmune – Phases II and III"
30)	Massing Sketch of Proposed Schematic Development Plan SDP-04-003 (11"X17") dated 11-04-04

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31) Certification of Publication from the Gazette

SITE PLAN APPLICATION

Application # SDP-04-003Date Filed 16-04-04Total Fee 4000.00In accordance with Article III, Division 19, Section 24-160 D.9
and Article V of the City Code

- ☐ CONCEPT
☐ PRELIMINARY
☐ FINAL (MXD FEE APPLIES)
☒ SCHEMATIC DEVELOPMENT

CK # 1004569
 11-5-0

1. SUBJECT PROPERTY

Project Name Quince Orchard Park-The Ridges (MedImmune Headquarters)Street Address One MedImmune WayZoning MXDHistoric area designation ☐ Yes ☒ NoLot 4 Block _____Subdivision Quince Orchard Corporate CenterTax Identification Number (MUST BE FILLED IN) 09-03449925

2. APPLICANT

Name MedImmune Inc. (Randall Turner)Street Address One MedImmune WayCity GaithersburgState MD

Suite No. _____

Zip Code 20878Telephones: Work 301-398-4458

Home _____

3. CITY PROJECT NUMBER

Original Site Plan Number (if applicable) SDP-03-003

Name of previously approved Final Plan (if applicable) _____

4. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name Kling (John Robinson)Architect's Maryland Registration Number 10490Telephone 202-973-8500Street Address 2000 L Street, NWSuite No. 215City WashingtonState DCZip Code 20036Engineer's Name Macris, Hendricks & Glascock, PA (Brian Donnelly)Engineer's Maryland Registration Number 10660Telephone 301-690-0840Street Address 9220 Wightman RoadSuite No. 120City Montgomery VillageState MD

Zip Code _____

Developer's Name Same as Applicant

Telephone _____

Street Address _____

Suite No. _____

City _____

State _____

Zip Code _____

Contact Person _____

4. PROPERTY OWNER

Name Same as Applicant

Street Address _____

Suite No. _____

City _____

State _____

Zip Code _____

Telephones: Work _____

Home _____

continued on reverse side

6. PRIMARY USE
☒ Mixed Use

☐ Non-Residential

☐ Residential

7. PROPOSED UNIT TYPE

☐ Mixed Use
☒ Office/Professional
☐ Restaurant

☐ Retail/Commercial
☐ Residential Multi-Family
☐ Residential Single Family

☒ Other

8. WORK DESCRIPTION

Revision to previously approved Schematic Development Plan
to construct 750,000 sf Building with Supporting Parking

9. PROJECT DETAIL INFORMATION. Please supply the following information

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1. Site (square feet)			993,187 sf
2. Site Area (acres)			22.8 acres
3. Total Number of Dwelling Units/Lots			1
4. Height of Tallest Building		100'	5 stories (100')
5. Green Area (square feet)		248,297 sf	373,744 sf
6. Number of Dwelling Units/Acre			
7. Lot Coverage (Percent)		25%	37%
8. Green Area (Percent)			
9. Residential			
a. Single Family Detached	# Units		
b. Single Family Attached	# Units		
c. Multi-Family Condo	# Units		
d. Multi-Family Apartment	# Units		
e. Other			
10. Retail/Commercial	Sq. Ft.		
11. Restaurant Class: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Sq. Ft.		
12. Office/Professional / Lab	Sq. Ft.	750,000 sf	750,000 sf
13. Warehouse/Storage	Sq. Ft.		
14. Parking		2500	2655
15. Shared Parking/Waiver			
16. Other			
17. Total			

SUBMISSION REQUIREMENTS

1. Set of plans per the respective checklist. Plans must be folded to 8 1/2 x 11."
2. Completion of the table above.
3. Completed checklist.
4. Fee as applicable.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Name (please print)

Randall Turner

Applicant's Signature

Randall Turner

Date

11-3-04

Daytime Telephone



November 16, 2004

Anne Houve
Legal Ads Department
The Montgomery Journal
6408 Edsall Road
Alexandria, Virginia



Dear Ms. Houve: *tain*

Please publish the following legal advertisement in the **November 19, 2004** issue of The Montgomery Journal.

Sincerely,

Mark A. DePoe
Long Range Planning Director

ASSIGN CODE: SDP-04-003 ACCTNO. 133649

NOTICE OF JOINT PUBLIC HEARING

The Mayor and Council and Planning Commission of the City of Gaithersburg, Maryland, will conduct a joint public hearing on Schematic Development Plan application SDP-04-003, filed by MedImmune Inc., on

MONDAY
December 6, 2004
AT 7:30 P.M.

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests to amend the previously approved Schematic Development Plan, SDP-03-003. The current application (SDP-04-003) requests approval to relocate the undeveloped office/laboratory structures and supporting surface and garage parking of the MedImmune – Phase II and III development within the existing 22.8 acre site. The 750,000 square feet of development previously approved for the entire MedImmune development is not changing. The subject property is located at 1 Medimmune Way, Lot 4, Quince Orchard Corporate Center and is in the Mixed Use Development (MXD) Zone.

Further information is available from the Department of Planning and Code Administration at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Mark A. DePoe
Long Range Planning Director

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@ci.gaithersburg.md.us • www.ci.gaithersburg.md.us

MAYOR
Sidney A. Katz

COUNCIL MEMBERS
Stanley J. Alster
Geraldine E. Edens

CITY MANAGER
David B. Humpton



November 17, 2004

Law Section
The Gaithersburg Gazette
PO Box Caller 6006
Gaithersburg, Maryland 20884



Dear Ms. Major,

Please publish the following legal advertisement in the **November 24, 2004**, issue of the Gaithersburg Gazette

Sincerely,

Mark A. DePoe
Long Range Planning Director

ASSIGN CODE: SDP-04-003 Acct #133649

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Further information is available from the Department of Planning and Code Administration at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Mark A. DePoe
Long Range Planning Director

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@ci.gaithersburg.md.us • www.ci.gaithersburg.md.us

MAYOR
Sidney A. Katz

COUNCIL MEMBERS
Stanley J. Alster
Geraldine E. Edens

CITY MANAGER
David B. Humpton



CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF JOINT PUBLIC HEARING

The City of Gaithersburg Mayor and Council and Planning Commission will conduct a public hearing at the time and place noted below.

Meeting: **MAYOR AND CITY COUNCIL MEETING**
Application Type: **AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN**
File Number: **SDP-04-003**
Location: **QUINCE ORCHARD PARK – THE RIDGES**
Applicant: **MEDIMMUNE INC.**
Development: **OFFICE BUILDING**
Day/ Date/Time: **MONDAY, DECEMBER 6, 2004 AT 7:30 PM**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL
31 SOUTH SUMMIT AVENUE**

IMPORTANT

This is a proposal to amend the previously approved Schematic Development Plan, SDP-03-003. The current application (SDP-04-003) requests approval to relocate the undeveloped office/laboratory structures and supporting surface and garage parking of the MedImmune – Phase II and III development within the existing 22.8 acre site. The 750,000 square feet previously approved for the entire MedImmune development is not changing. The subject property is located at 1 MedImmune Way, Lot 4, Quince Orchard Corporate Center and is in the Mixed Use Development (MXD) Zone. This is the first public hearing in a series of public opportunities to participate. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

Joint Mayor and City Council & Planning Commission meetings can be viewed live on Gaithersburg Cable Television Channel 13, and at anytime (on demand) two weeks after the public hearing via the Internet and Web TV at <http://www.gaithersburgmd.gov>.

CITY OF GAITHERSBURG

By: 
Mark Depoe, Long Range Planning Director
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 17th DAY OF NOVEMBER TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

MAYOR AND COUNCIL

PLANNING COMMISSION

CITY STAFF

David B. Humpton, City Manager

Frederick J. Felton, Assistant City Manager

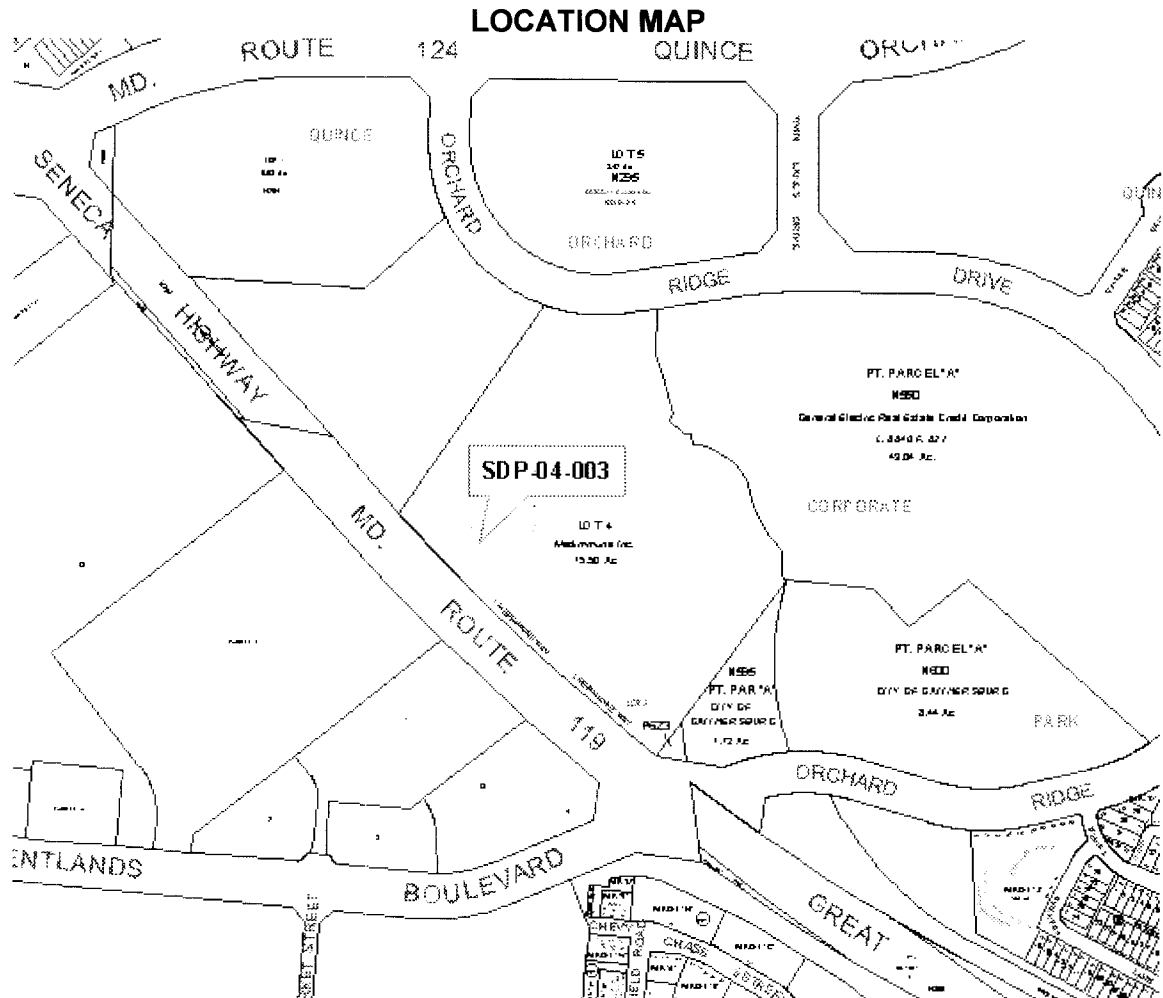
Tony Tomasello, Assistant City Manager

Cathy Borten, City Attorney

Mary Beth Smith, Public Information Director

Doris Stokes, Administrative Assistant

Jeff Baldwin, City Web Administrator (via email)



RESOLUTION NO. R-48-03

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GAITHERSBURG GRANTING APPROVAL FOR SCHEMATIC DEVELOPMENT PLAN SDP-03-003, KNOWN AS MEDIMMUNE PHASE II and III, IN THE RIDGES SECTION OF THE QUINCE ORCHARD PARK DEVELOPMENT ZONED MIXED USE DEVELOPMENT (MXD). APPROVAL OF THIS SCHEMATIC DEVELOPMENT PLAN PERMITS CONSTRUCTION OF A THREE TO FIVE STORY 531,300 SQUARE FEET OFFICE/LABORATORY BUILDING AND A SINGLE THREE TO FIVE LEVEL PARKING GARAGE.

SDP-03-003

OPINION

This matter has come before the Mayor and City Council for approval of a schematic development plan (SDP) for land zoned Mixed Use Development (MXD). The City Council's authority in this matter is pursuant to Section 24-160D.9(b)(3) of the City of Gaithersburg Zoning Ordinance (Chapter 24 of the City Code), which authorizes the City Council and Planning Commission to conduct public hearings on a schematic development plan application following appropriate notification procedures, and to take action on the application within ninety (90) days of the close of the hearing record, following receipt of a recommendation by the City Planning Commission.

The subject case involves approximately 22.80 acres (or 993,187 square feet) of land and concerns the development of the Ridges Section, Quince Orchard Park (QOP) development. The SDP application was submitted to the City Planning and Code Administration, and City Planning Commission on April 6, 2001. This application was designated as SDP-03-003 and presently requests approval for the development of three (3) to five (5) story 531,300 square feet office/laboratory buildings, a single three (3) to five (5) level parking garage, surface parking and relevant landscaping and site improvements.

OPERATIVE FACTS

A. Background

The subject property ("Property") was annexed into the City of Gaithersburg on October 22, 1982 as part of an annexation agreement in conjunction with the approval of Annexation Application X-129 to annex approximately 212 acres of land and to simultaneously classify it in its entirety in the I-3 Zone. The annexation agreement has been amended on August 5, 1991, March 19, 1996, September 15, 1998, and March 11, 2002.



On December 20, 1993, the Property was rezoned as part of the Zoning Map Amendment application Z-275 approved by the Mayor and Council to rezone 173.87 acres known as the Quince Orchard Park property to MXD (Mixed Use Development) and further to approve a sketch plan. The Property is located in the Ridges section of the approved sketch plan. The 1997 Master Plan for the area affixed a commercial/industrial/research/office land use designation to the Ridges section.

On December 17, 2001, the Mayor and City Council approved Zoning Map Amendment Z-275(C) transferring 355,000 square feet of potential development from the Meadows to the Ridges section of the QOP development to allow for the future build-out of the 750,000 sq. ft. MedImmune corporate facility. The Ridges section consists of approximately 34.9 acres of land and is approved for 300,000 to 855,000 square feet of office on the adopted Sketch Plan.

Existing within the Ridges section is a 105,000 square feet three (3) story office building. On July 2, 2001, the Mayor and City Council approved SDP-01-002 to allow for the development of MedImmune – Phase I. The Planning Commission approved the site plan SP-01-0010 on August 15, 2001 for Phase I of the MedImmune project consisting of 218,700 sq. ft. of office and laboratory space, a three (3) level parking garage, surface parking and relevant landscaping and site improvements. Phase I of the MedImmune project is currently under construction.

B. Current Application:

On April 18, 2003, the applicant, MedImmune, Inc., submitted a Schematic Development Plan (SDP) application SDP-03-003. The application requests approval of a SDP, known as MedImmune – Phase II and III, in the Quince Orchard Park development in Gaithersburg, Maryland. The plan includes 531,300 square feet of three (3) to five (5) story office/laboratory buildings, a single three (3) to five (5) level parking garage with approximately 1,623 spaces and surface parking on 22.80 acres (or 993,187 square feet) of land located adjacent to and north of Great Seneca Highway and south of Orchard Ridge Drive in the Mixed Use Development (MXD) Zone. The 1997 Master Plan, Neighborhood Four, designates the Ridges as commercial/industrial-research-office use.

The Mayor & Council and Planning Commission held their Joint Public Hearing on May 5, 2003 at which time evidence was received on the subject application. The applicant presented updated and revised architectural design and schematic development plan for the proposed SDP development and discussed MedImmune's decision to request approval of the remaining allowable square footage (531,300 square feet) for their corporate headquarters and research and development facility at Quince Orchard Park. The overall development of the MedImmune project is for a 750,000 square foot office/laboratory facility with two parking garages and surface parking to be developed in multiple phases, as needed. Phase I of the MedImmune project consisting of 218,700 square feet of office and laboratory space and a three (3) level parking garage was approved by the Planning Commission and is currently under construction.

The proposal before the Mayor and City Council and Planning Commission is for MedImmune Phase II and III development of 531,300 square feet of office/laboratory space, to include 411,300 square feet of office and 120,000 square feet for laboratory

purposes, and the second garage structure. The proposed office and laboratory buildings are to be interconnected with each other and the Phase I buildings creating one whole and connected structure. The office buildings for this structure are to be five (5) stories and the laboratory buildings are to be three (3) stories. The proposed garage is one structure in which half of the structure is three (3) levels and the other half is five (5) levels. The majority of parking levels for this proposed garage are to be located below ground level so as not to impact the view of the office buildings from Great Seneca Highway and the Kentlands development.

The MedImmune Phase II and III development is within the confines of the overall Quince Orchard Park development limits of the approved sketch plan and the 300,000 – 855,000 square feet of development limits permitted in the Ridges section. With the existing 105,000 square foot office building and the approved 218,700 square foot office/laboratory building of MedImmune Phase I, the Ridges section of the Quince Orchard Park development is permitted 531,300 square feet of development, exclusive of the parking structures.

During the joint public hearing, the main concerns of the Mayor and City Council and Planning Commission were the revised building design and meeting with the Quince Orchard Park community. At the conclusion of the joint public hearing, the Planning Commission agreed to hold their record open until May 16, 2003 and the Mayor and City Council agreed to hold their record open until May 28, 2003.

Pursuant to the direction of the Mayor and City Council, the applicant met with the QOP community on May 22, 2003 to discuss the project. Approximately 30 residents attended this community meeting. Following the community meeting, the Quince Orchard Park HOA President Troy Kennedy emailed the Mayor and City Council concerning the meeting on May 23, 2003.

The email thanked the Mayor and City Council for arranging the meeting between the Quince Orchard Park community and MedImmune on behalf of the Quince Orchard Park Community Association. The email further stated that "the residents found the meeting both informative and helpful as MedImmune representatives explained their plans for the development site and answered questions on items such as the company's business and history and anticipated noise and light emissions from the buildings. All questions posed by the community were answered. The meeting was viewed by the community as a positive step for the area and the conversations addressed the community's concerns." The remaining concern of the residents were in regards to MedImmune traffic as it relates to ingress/egress of MedImmune employees and that MedImmune will continue to work with the community regarding construction impacts, such as, tracking mud from the site onto the surrounding roadways.

The Mayor & Council and Planning Commission held a Joint Work Session on May 27, 2003. Prior to any discussion or testimony the Planning Commission agreed to reopen their record. Staff discussed the background of the Quince Orchard Park development as it relates the Ridges section and the allowable development range of 300,000 to 855,000 square feet and the intent of MedImmune to obtain approval of the schematic development plan SDP-03-003 for Phase II and III of the MedImmune project. Mr. Randall Turner, representing MedImmune Inc., presented the proposed SDP and building

elevations and discussed the operations of the MedImmune project. Mr. Turner further addressed the ingress/egress concerns of the residents and explained the location and operations of the three access locations for the MedImmune project and the minimal impact to the residential community. At the conclusion of the joint work session, the Planning Commission voted to hold their record open until May 29, 2003 and the Mayor and City Council voted to extend their record until June 9, 2003.

The Planning Commission reviewed the proposed SDP-03-003 at their June 4, 2003 meeting. Based on their review of the evidence, the Planning Commission forwarded their recommendation of approval to the Mayor and City Council, with the following conditions.

1. Applicant is to obtain approval of the final forest conservation plan from staff before site plan approval. No disturbance to the stream valley buffer, wetlands and floodplains is proposed or permitted on site;
2. Applicant is to provide an access and circulation study for the site at the final development stage. The study is to be reviewed and approved by staff and PWPM&E to the Orchard Ridge Drive/two access drives, Great Seneca Highway/access drive and Great Seneca Highway/Orchard Ridge Drive intersections;
3. Applicant is to obtain approval of preliminary storm water management plan from the DPWPM&E before submission of site development plans;
4. Orchard Ridge Drive is to be completed prior to the issuance of use and occupancy for any new construction over 1.1 million square feet of the Quince Orchard Park development; and
5. Applicant is to review possible addition of raised crosswalks at the intersection of Winter Walk Drive and Orchard Ridge Drive. If found necessary, the raised crosswalks are to be completed as part of the Orchard Ridge Drive build-out.

The Mayor and Council held their Policy Discussion for SDP-03-003 on June 16, 2003. The Mayor and City Council reviewed the findings, conclusions and recommendations of approval by the City Planning Commission and City staff.

C. Evaluation and Findings

In reviewing the subject application for approval of SDP-03-003, the City Council finds the proposal to be substantially in accordance with all of the requirements of the Mixed Use Development (MXD) Zone that are set forth in Chapter 24 Article III Division 19 of the City Zoning Ordinance. The City Council also finds the subject application in accordance with the Neighborhood Four Master Plan, and the principles established for development in the City's Smart Growth Policy element of the Master Plan. The City Council agrees with the findings, conclusions and recommendations of approval by the

City Planning Commission and City staff. The City Council finds those recommendations to be well reasoned and adopts and incorporates their findings as part of this action.

The City Council finds that the proposed 531,300 square feet of development, in conjunction with existing development, is substantially in accord with the approved sketch plan. The combined total development is within the 300,000 to 855,000 square feet of office space on the adopted Sketch Plan. It is, further, the City Council's finding that SDP-03-003, MedImmune-Phase II and III, as proposed in its current form and as stipulated above includes three (3) to five (5) story 531,300 square feet office/laboratory buildings, a single three (3) to five (5) level parking garage, surface parking and relevant landscaping and site improvements is compatible and harmonious with existing and planned uses in the subject site and adjacent areas, in terms of the nature and intensity of uses, their location and interrelationship with community features of the subject site and adjacent areas. The subject SDP is harmoniously integrated in an orderly fashion into the overall comprehensive planning and development envisioned for this area. The City Council believes that the overall density, office/laboratory use and siting of the office/laboratory buildings and parking structure provide a compatible form of development.

The City Council further finds that the level of development reflected by this SDP can be accommodated adequately by existing and planned public facilities. There is no evidence to indicate that public water, sewer, and transportation facilities could not adequately handle the needs of this development. To the contrary, it appears that the capacities of the public facilities are adequate to handle the impact of this development in a safe and efficient manner.

In conclusion, the City Council finds SDP-03-003, as submitted in accordance with Section 24-160D.9 and hereunto conditioned, is in the public interest and should be approved due to the presence of sufficient evidence in the record to indicate that the subject SDP conforms to the sketch plan, has accomplished the purposes of the MXD Zone, reflects an internally and externally compatible form of development, and is consistent with the purpose of the Neighborhood Four Land Use Plan, the Smart Growth Policy element of the Master Plan, as well as generally accepted city planning and land use policies, subject to the applicant complying with the conditions stated in this Resolution.

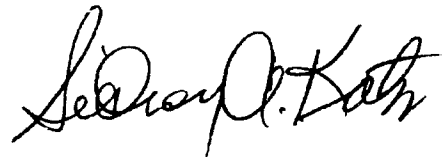
SCHEMATIC DEVELOPMENT PLAN (SDP-03-003)

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the City Council of Gaithersburg, that SDP-03-003, being an application filed by MedImmune Inc, requesting approval of Medimmune-Phase II and III located within the Ridges section of the Quince Orchard Park development, that consists of the above office/laboratory buildings, and parking garage, is hereby approved with the following conditions.

1. Applicant is to obtain approval of the final forest conservation plan from staff before any further site plan, or amendment thereto, is submitted or approved by the Planning Commission. No disturbance to the stream valley buffer, wetlands and floodplains is proposed or permitted on site;
2. Applicant is to provide an access and circulation study for the site at final development stage. The study must be reviewed and approved by staff and PWPM&E with respect to the Orchard Ridge Drive/two access drives, Great Seneca Highway/access drive and Great Seneca Highway/Orchard Ridge Drive intersections;
3. Applicant is to obtain approval of preliminary storm water management plan from the DPWPM&E before any further site plan, or amendment thereto, is submitted or approved by the Planning Commission;
4. Orchard Ridge Drive is to be completed prior to the issuance of use and occupancy for any new construction over 1.1 million square feet of the Quince Orchard Park development; and
5. Applicant is to work with the City staff to review the need for the possible addition of raised crosswalks at the intersection of Winter Walk Drive and Orchard Ridge Drive. If found necessary, the raised crosswalks are to be completed as part of the Orchard Ridge Drive build-out.

ADOPTED by the Mayor and City Council of Gaithersburg, Maryland, on the 16th day of June, 2003.

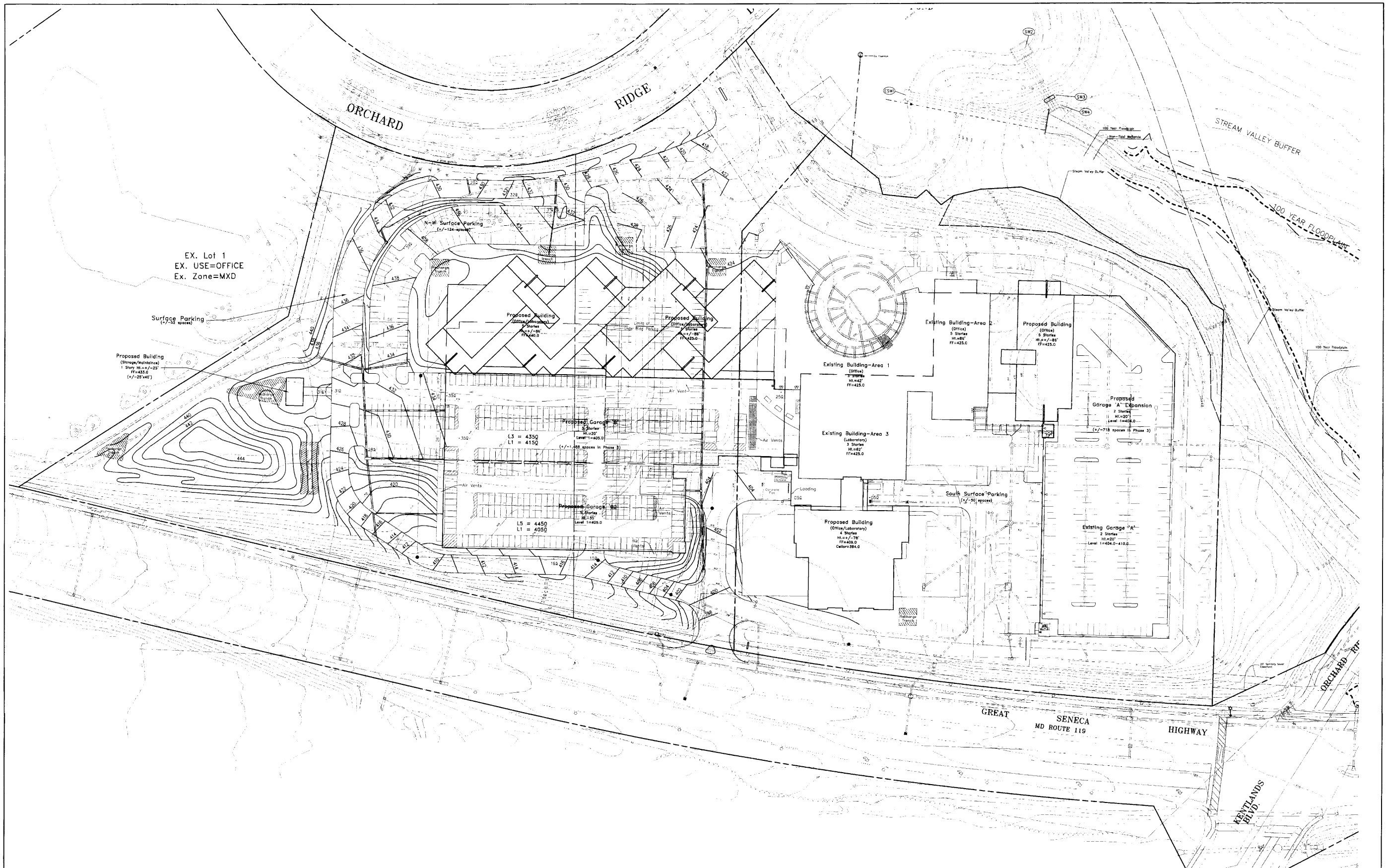


Sidney A. Katz, Mayor and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City
Council in public meeting assembled on
the 16th day of June, 2003.



David B. Humpton, City Manager

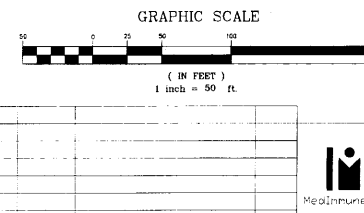


A MARYLAND REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

CITY OF GAITHERSBURG MAYOR & COUNCIL
31 SOUTH SUMMIT AVENUE, GAITHERSBURG, MARYLAND 20877
SCHEMATIC DEVELOPMENT PLAN APPROVAL
AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL HELD ON June 16, 2003
APPLICATION NO. SDP-03-003 WAS GRANTED
SCHEMATIC DEVELOPMENT PLAN APPROVAL
BY RESOLUTION 6-48-03 WITH FIVE (5) CONDITIONS
DATE 5-13-2003 BY M. A. De
NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE MAYOR & CITY COUNCIL

- NOTES:
- For Site Details of see sheet C-20
 - Curbs, gutters, sidewalks, and paving shall be installed in such a manner as to provide positive drainage of all areas so there is no accumulation of surface water.
 - All perimeters, paving edges and islands shall be curbed.
 - All Paving, Storm Drain, Utilities and Improvements on this Parcel are Private and the Maintenance to be the Responsibility of the Owner.
 - The maximum permitted grade on lot is 3.1. The Contractor must adjust any slope as necessary to meet Existing Grade.



Schematic Development Plan
The Ridges
QUINCE ORCHARD PARK
MEDIMMUNE - PHASES II and III
Gaithersburg MARYLAND

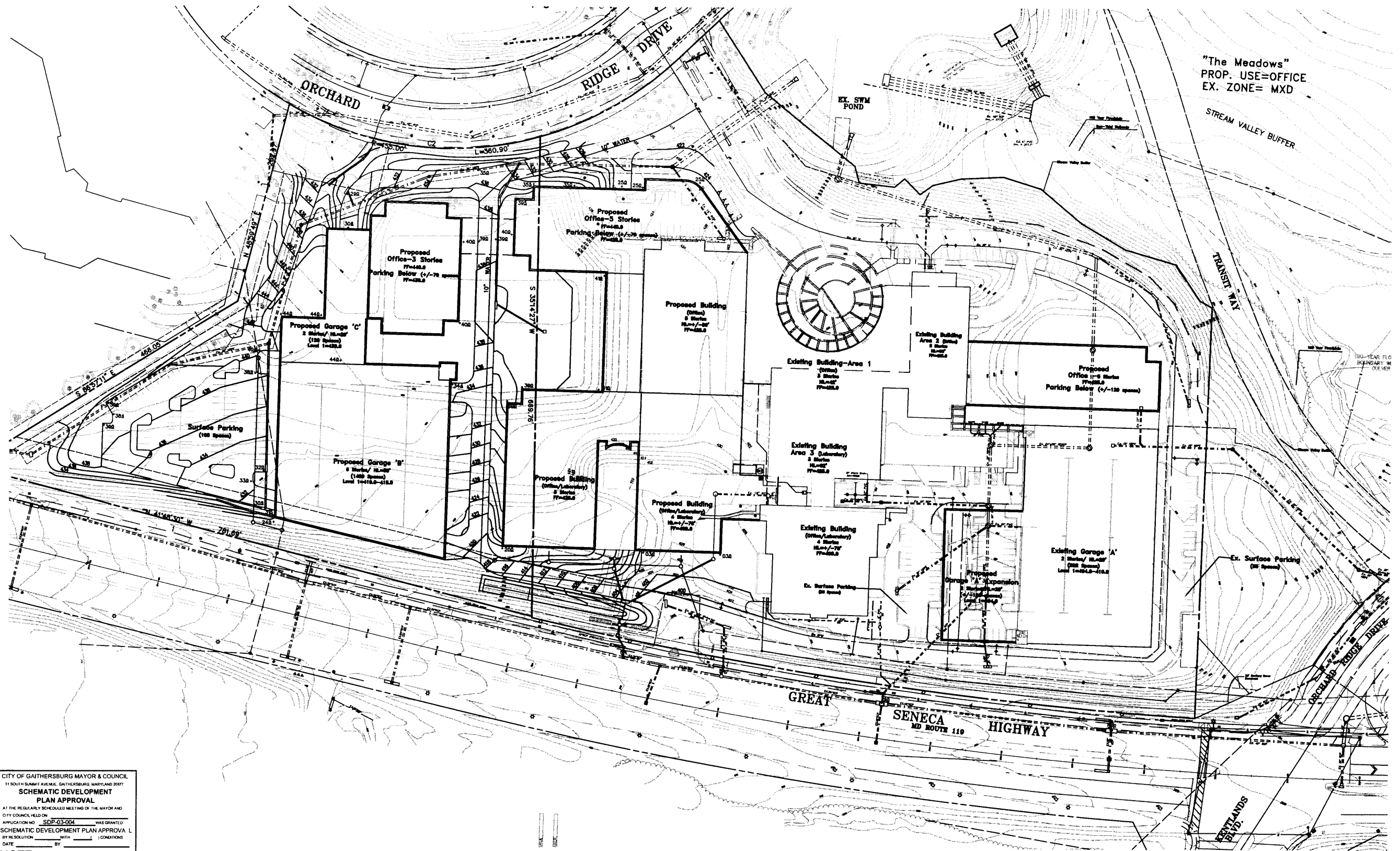
Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors

(301) 670-0840

Suite 120
9220 Wightman Road
Gaithersburg, Maryland 20878

Designed	Drawn
MHG	MHG
Date	Scale
4/11/03	1"=50'
Job No.	Sheet
100-04-003	126

JOINT EXHIBIT 25
500-04-003
126

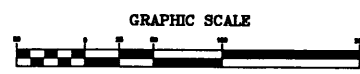


CITY OF GAITHERSBURG MAYOR & COUNCIL
 31 SOUTH BAYVIEW AVENUE, GAITHERSBURG, MARYLAND 20877
SCHEMATIC DEVELOPMENT PLAN APPROVAL
 AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND CITY COUNCIL, HELD ON _____, _____, 2004, THE CITY COUNCIL, BY RESOLUTION NO. _____, HAS GRANTED APPROVAL OF THE SCHEMATIC DEVELOPMENT PLAN APPROVAL L. BY RESOLUTION NO. _____, WITH _____ CONDITIONS, ON _____, 2004.
NOTE: ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE MAYOR & CITY COUNCIL.

A MARYLAND REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS.

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must verify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

- NOTES:**
- Curbs, gutters, sidewalks, and paving shall be installed in such a manner as to provide positive drainage of all areas so there is no accumulation of surface water.
 - All perimeters, paving edges and islands shall be curbed.
 - All Paving, Storm Drain, Utilities and Improvements on this Parcel are Private and the Maintenance to be the Responsibility of the Owner.
 - The maximum permitted grade on lot is 3:1. The Contractor must adjust any slope as necessary to meet Existing Grade.

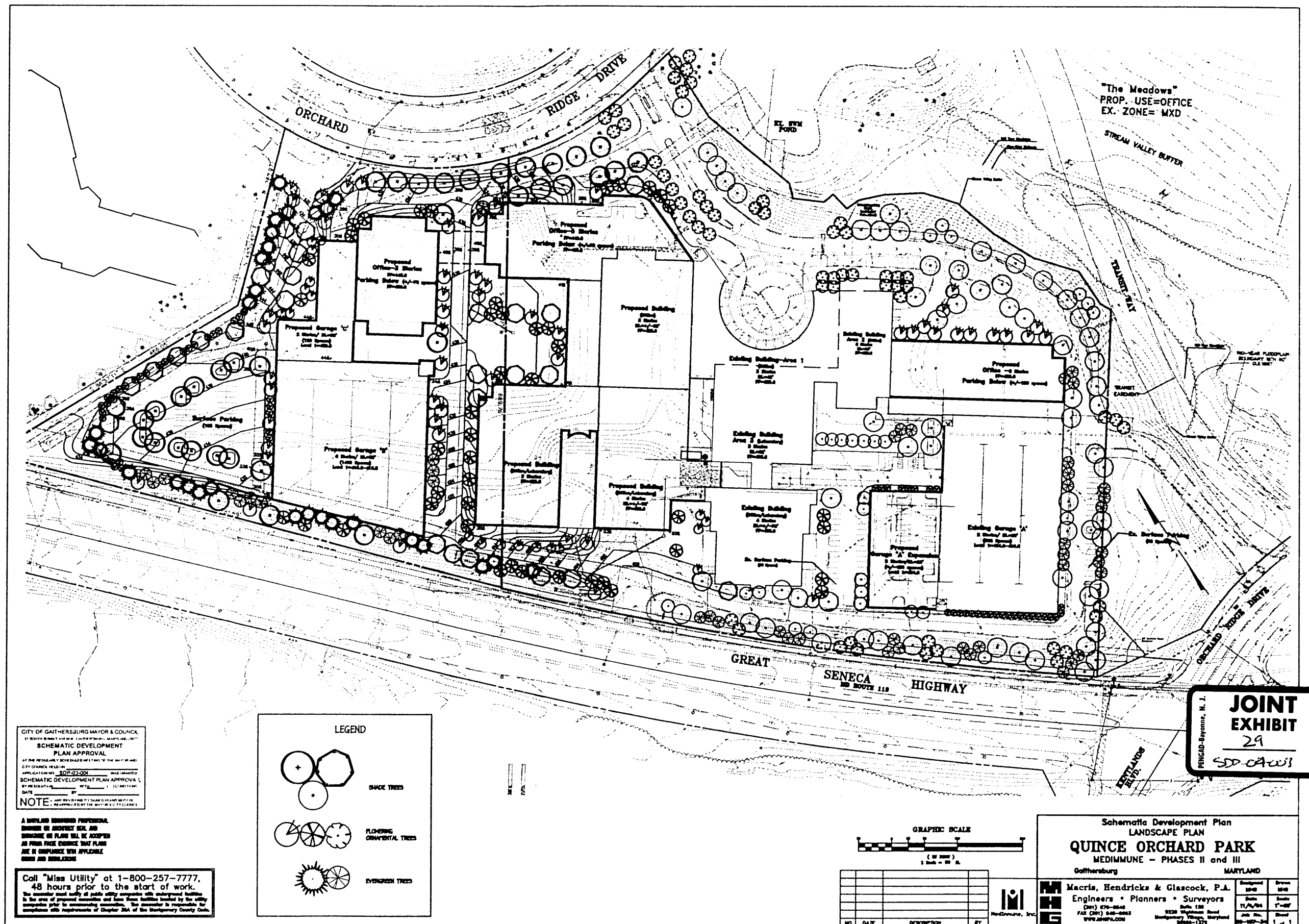


Schematic Development Plan OVERALL SITE PLAN
QUINCE ORCHARD PARK
 MEDIMMUNE - PHASES II and III
 Gaithersburg, MARYLAND

Macris, Hendricks & Glasecock, P.A.
 Engineers • Planners • Surveyors
 (301) 870-0840 Suite 120 8220 Wightman Road
 FAX (301) 848-0883

Designed MHG	Drawn MHG
Date 1/04/04	Scale 1"=50'

JOINT EXHIBIT 28
 JAD-Bayonne, N. J.



CITY OF GAITHERSBURG MAYOR & COUNCIL
31 SOUTH STREET, SUITE 200, GAITHERSBURG, MARYLAND 20878
SCHEMATIC DEVELOPMENT
PLAN APPROVAL
AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND
CITY COUNCIL HELD ON: 02/23/2011 THIS APPROVAL IS LIMITED
TO THE SCHEMATIC DEVELOPMENT PLAN APPROVAL L
BY RESOLUTION NO. 11-001 OF THE CITY COUNCIL
DATE 02/23/2011 BY THE CITY COUNCIL

NOTE: A LANDSCAPE DESIGN PROFESSIONAL
SHOULD BE CONSULTED FOR ALL
LANDSCAPE DESIGN AND
CONSTRUCTION OF PLANTING AND
LANDSCAPE DESIGN SHALL BE
IN COMPLIANCE WITH APPLICABLE
ORDINANCES AND REGULATIONS

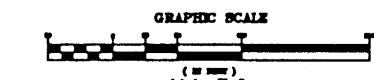
Call "Miss Utility" at 1-800-257-7777,
48 hours prior to the start of work.
The contractor must notify all public utility companies with underground facilities
in the area of proposed construction and have those facilities located by the utility
companies prior to commencing construction. The contractor is responsible for
compliance with requirements of Chapter 26A of the Montgomery County Code.

LEGEND

SHADE TREES

FLOWERING ORNAMENTAL TREES

EVERGREEN TREES



NO.	DATE	DESCRIPTION	BY

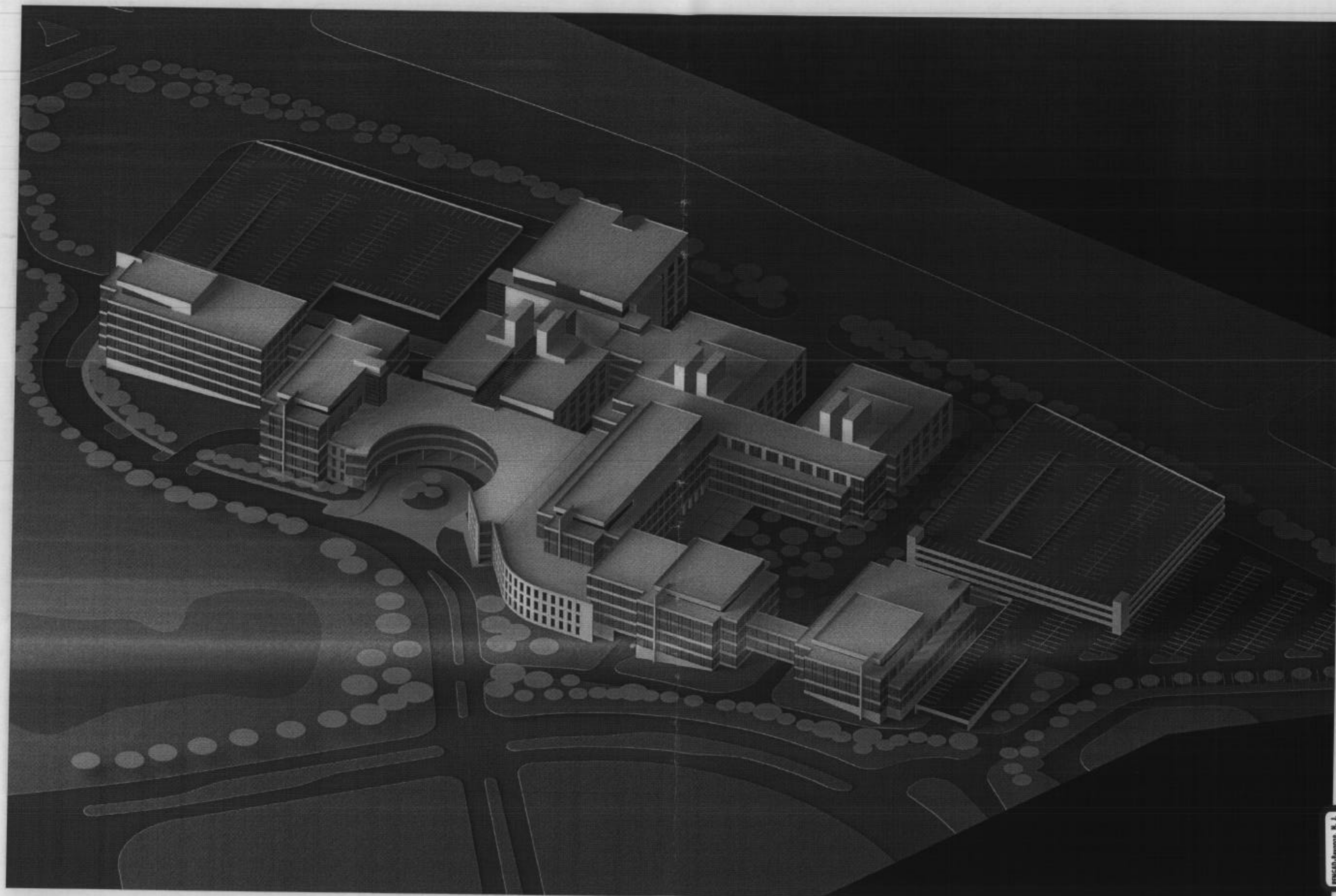


Schematic Development Plan
LANDSCAPE PLAN
QUINCE ORCHARD PARK
MEDIUM-MEDIUM - PHASES II and III
Gaithersburg, MARYLAND

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors
(201) 676-8848
FAX (201) 646-8843
WWW.MHGA.COM

0228 Midway Road
Gaithersburg, Maryland
20878-1171

Designed 10/08	Drawn 10/08
Date 11/14/08	Scale 1"=50'
Job No. 10-001-34	Sheet 1 of 1



PHOTOGRAPH BY M. J.

**JOINT
EXHIBIT**

30
SP. 04.00.03



The Gazette Newspapers

9030 Comprint Court, Gaithersburg, Maryland 20877, 301-670-2544

CERTIFICATION OF PUBLICATION

THIS IS TO CERTIFY THAT THE ANNEXED LEGAL ADVERTISEMENT HAS BEEN PUBLISHED
IN THE GAZETTE NEWSPAPERS FOR THE NUMBER OF INSERTIONS INDICATED BELOW.

The City of Gaithersburg – Joint Public Hearing – 12/6/04 – SDP-04-003

Gaithersburg Publishing Company


Copy of Ad attached



KAREY A. MAJOR
Notary Public, State of Maryland
Prince George's County
My Commission Expires March 31, 2007

Ad Order Number: 10205931

Dates: St: 11/24/04 End: 11/24/04 Ins: 1

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aprint Court, Gaithersburg, Maryland 20877,

CERTIFICATION C

TO CERTIFY THAT THE ANNEXED LEGAL
GAZETTE NEWSPAPERS FOR THE NUM

y of Gaithersburg – Joint Public He

burg Publishing Company

K. A. Major
Ad attached



KAREY A. MAJOR
Notary Public, State of Maryland
Prince George's County
My Commission Expires March 31, 2007

Number: 10205931
: 11/24/04 End: 11/24/04 Ins: 1

NOTICE OF JOINT PUBLIC HEARING

The Mayor and Council and Planning Commission of the City of Gaithersburg, Maryland, will conduct a joint public hearing on Schematic Development Plan application SDP-04-003, filed by MedImmune Inc., on

MONDAY
December 6, 2004
AT 7:30 P.M.

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests to amend the previously approved Schematic Development Plan, SDP-03-003. The current application (SDP-04-003) requests approval to relocate the undeveloped office/laboratory structures and supporting surface and garage parking of the MedImmune - Phase II and III development within the existing 22.8-acre site. The 750,000 square feet of development previously approved for the entire MedImmune development is not changing. The subject property is located at 1 MedImmune Way, Lot 4, Quince Orchard Corporate Center and is in the Mixed Use Development (MXD) Zone.

Further information is available from the Department of Planning and Code Administration at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Mark A. DePoe
Long Range Planning Director

10205931

(11-24-04)

1384842